

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(s): Arthur A. Alfaro et al.

**EXAMINER:** Priddy, Michael

SERIAL NO:

09/803,266

**GROUP:** 

3732

FILED:

March 9, 2001

DATE:

January 6, 2003

FOR:

ANTERIOR LUMBAR

DOCKET:

285-148

**SPACER** 

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Assistant Commissioner for Patents

JAN 1 6 2003

Washington, D.C. 20231

TECHNOLOGY CENTER R3700

## AMENDMENT TRANSMITTAL FORM

Sir:

Transmitted herewith is an amendment in the above-identified application.

- [X] Small entity status of this application under 37 C.F.R. §§1.9 and 1.27 has been established.
- [] A verified statement to establish small entity under 37 C.F.R. §§1.9 and 1.27 is enclosed.
- [] No additional fee is required.

For	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate (Small Entity)	Addit. Fee	Rate	Addit. Fee
TOTAL CLAIMS	37	21	16	x 9 =	\$144	x 18 =	\$0
INDEPENDENT CLAIMS	12	3	9	x 42 =	\$378	x 84 =	\$0
[] First Presentation of Multiple Dep. Claim				140		280	\$0

\* If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

#### CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner of Patents and Trademarks, Box Non-fee Amendments, Washington, D.C. 20231 on January 6, 2003

Dated: January 6, 2003

- [] Please charge Deposit Account No. <u>04-1121</u> in the amount of \$\_\_\_. Two (2) copies of this sheet are enclosed.
- [X] A check in the amount of \$522.00 is enclosed.
- [X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §§1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. <u>04-1121</u>. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. <u>04-1121</u> therefor.

DILWORTH & BARRESE, LLP 333 Earle Ovington Blvd. Uniondale, NY 11553 (516) 228-8484 Respectfully submitted,

DR. Brew

Michael R. Brew Reg No. 43,513

Attorney for Applicant(s)

PGD/MRB:mg





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**AMENDMENT** 

TECHNOLOGY CENTER R3700

Dear Sir:

In response to the Office Action of the United States Patent and Trademark Office mailed October 4, 2002, please amend the above-referenced application as follows:

### **IN THE SPECIFICATION:**

Please replace the first paragraph beginning on the top of page 3 with the following:

-- A variety of different types of intervertebral implants have been developed to perform this function including spinal fusion cages, threaded bone dowels and stepped

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Dated: January 6, 2003

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